

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:21-cv-248-MOC-DCK**

<b>DIANA RODRIGUEZ,</b>	)	
	)	
<b>Plaintiff, pro se,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>WELLS FARGO BANK, N.A.,</b>	)	<b><u>ORDER</u></b>
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court on Plaintiff Diana Rodriguez’s pro se “Motion to Increase Relief.” (Doc. No. 24).

In this employment discrimination action, Plaintiff’s pending motion seeks to increase the amount of damages requested in her original Complaint from the requested \$800,000 “for pain and suffering” and \$400,000 “for punitive damages” to \$4,600,000 and \$2,600,000, respectively. She also newly requests \$805,428 in “future earnings.” (*Id.*).

Plaintiff’s motion is procedurally improper. If Plaintiff seeks to increase the damages sought, she needs to file a motion to amend her Complaint, attaching a proposed Amended Complaint.<sup>1</sup>

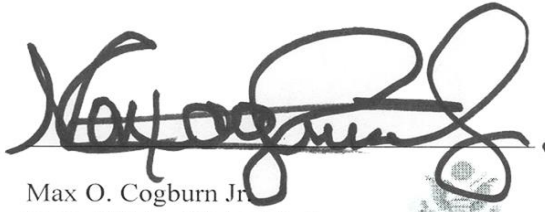
**IT IS, THEREFORE, ORDERED** that:

1. Plaintiff’s Motion to Increase Relief, (Doc. No. 24), is **DISMISSED**.

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<sup>1</sup> Defendant argues that Plaintiff’s motion should also be denied on the merits as futile because she cannot recover the amount proposed by her motion. Although the Court agrees with Defendant that Plaintiff is likely statutorily barred from recovering the amounts sought, the Court declines to rule on the merits at this time.

Signed: December 1, 2021

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.  
United States District Judge

